

REMARKS

Claims 19-29 are pending in the application. Claims 19-27 are rejected and claims 28-29 have been withdrawn from consideration. Claims 19, 21 and 23 are currently amended. No new matter has been added to the application.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 19 and 23 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. More specifically, the Examiner states that claim 19 has insufficient antecedent basis for the limitation “the rollers” and claim 23 has insufficient antecedent basis for the limitation “the respective centerline of the rollers.” In response, Applicants have amended claims 19 and 23 accordingly.

In addition, the Examiner states that claim 19 is confusing as to which member (i.e., the first or second member) is moving. In response, Applicants have amended claim 19 to resolve any confusion as to which member is moving.

Applicants respectfully submit that claims 19 and 23, as amended, meet the requirements of 35 U.S.C. § 112, second paragraph, and request that the Examiner withdraw the rejections to claims 19 and 23.

Claim Rejections Under 35 U.S.C. § 102(e)

Claims 19-27 are rejected under 35 USC 102(e) as being anticipated by U.S. Patent No. 6,415,712 to *Helland et al.* (hereinafter referred to as “*Helland*”). Applicants respectfully traverse. Claim 19, as amended, recites:

A strap guiding assembly for use on a strapping machine to guide a strap into an accumulator, the assembly comprising:
a first member;
a plurality of rollers rotationally coupled to the first member; and

a second member having a curved surface aligned with an entrance for receiving a strap, wherein the first member is moveably coupled to the second member to move between a first configuration in which the strap is constrained between the curved surface and the plurality of rollers and a second configuration in which the strap is unconstrained and free to move into the accumulator, and wherein the plurality of rollers are configured to follow a path complementary to at least a portion of the curved surface.

The Examiner states that *Helland* discloses a strap guiding assembly including a second member having a curved surface (i.e., outer guide 376; Figs. 10 and 23). However, Applicants submit that the curved surface of the outer guide 376 is not aligned with an entrance for receiving a strap, as claimed. In fact, *Helland* discloses that the inner guide 374 and the outer guide 376 form a strap channel through which the strap passes to keep the strap 202 (Fig. 23) in line with the sealing head 400 (col. 9, line 61 – col. 10, line 6). Since the strap 202 passes through a channel formed between the inner and outer guides 374 and 376, respectively, Applicants respectively submit that the outer guide 376 (or a curved surface of the outer guide 376) is not aligned with an entrance for receiving a strap.

Furthermore, Applicants submit that *Helland* does not disclose a first configuration in which the strap is constrained between the curved surface and a plurality of rollers, as claimed. More specifically, Applicants submit that *Helland* does not disclose a first configuration in which the strap 202 is constrained between a curved surface of the outer guide 376 and a plurality of rollers. That is, although *Helland* does disclose, col. 9, lines 5 – 23 and col. 10, lines 50 – 57, constraining the strap 202 between (1) a moveable primary tension pinch wheel 352 and a primary tension drive wheel 360, (2) a moveable secondary tension pinch wheel 364 and a secondary tension drive wheel 362, and (3) a moveable feed pinch wheel 368 and a feed drive wheel 366, *Helland* does not disclose constraining the strap 202 between a curved surface of the outer guide 376 and a plurality of rollers. In other words, Applicants submit that it is clear from Figs. 10 and 23 that the tape 202 is not constrained between the outer guide 376 (or any surface of the outer guide) and a roller or set of rollers.

In addition, the Examiner may be equating *Helland's* feed drive wheel 366 (Fig. 12) with “a second member having a curved surface,” as claimed. If Examiner is making such a comparison, although Applicants do not believe this to be the case, Applicants respectfully submit that *Helland* does not anticipate the invention as claimed. For example, *Helland*

discloses a configuration in which a single roller (i.e., feed pinch wheel 368) is engaged against the feed drive wheel 366, thereby defining a configuration in which the strap 202 is constrained between the feed drive wheel 366 and the feed pinch wheel 368. However, the strap 202 is not constrained between a curved surface of the feed drive wheel 366 and **a plurality of rollers**, as claimed. That is, *Helland* discloses only one roller (i.e., feed pinch wheel 368) to constrain the strap 202 between the roller and the curved surface of the feed drive wheel 366. Furthermore, the feed pinch wheel 368 does not constrain the strap 202 between a **curved surface** of the feed drive wheel 366 and a plurality of rollers. In fact, the feed pinch wheel 368 only constrains the strap 202 between a **point** on the surface of the feed drive wheel 366 and the feed pinch wheel 368, in contrast to the invention as claimed.

Based at least upon the above remarks, Applicants respectfully submit that claim 19 is not anticipated by *Helland*, and request that claim 19 be allowed.

With regard to claim 20, Applicants submit that *Helland* does not disclose, teach, or suggest that a curved surface of the feed and tension unit 350 (Figs. 10-12) is oriented towards the accumulator 300 to give the strap 202 an initial curvature such that the strap 202 **tends to move into the accumulator** 300 when the strap guiding assembly moves into a second configuration. Applicants submit that although *Helland* discloses various reasons for designing the feed and tension unit 350 to have a triangular configuration of drive wheels 360, 362, and 366, *Helland* does **not** disclose that the feed and tension unit 350 is designed to give the strap an initial curvature such that the strap would tend to move into the accumulator when the assembly is in a particular configuration. In fact, *Helland* teaches against undue bending of the strap when processed by the feed and tension unit 350. For example, *Helland* discloses that the configuration of the drive wheels 360, 362, and 366 “enables the strap to travel in a less tortuous path,” provides for a “simplified strap path ...allowing the strap to be fed in a straighter path than previously achievable,” “greatly reduces the amount of turning of the strap,” and provides for “[l]ess bending of the strap” (col. 9, lines 33-56). Applicants submit that *Helland* does not disclose, nor has the Examiner pointed out, a system or method of giving the strap an initial curvature to facilitate movement of the strap into the accumulator when the assembly is in a specified configuration.

Claim 20 depends directly from claim 19. Based at least upon the above remarks and the remarks in conjunction with claim 19, Applicants submit that claim 20 is not anticipated by *Helland*, and request that the rejection to claim 20 be withdrawn. Furthermore, claims 21-23 depend directly from claim 19. Based at least upon the above remarks made in conjunction with claim 19, Applicants respectfully submit that claims 21-23 are not anticipated by *Helland*, and request that claims 21-23 be allowed.

Claims 24, 26 and 27 are similar in scope to claim 19. Thus, Applicants submit that claims 24, 26 and 27 are allowable based at least upon the remarks given above in conjunction with claim 19. Furthermore, claim 24 recites “a plurality of rollers rotationally mounted to the first member ... and an actuation mechanism to translationally move the first member into one of a first position or a second position” The Examiner contends that rollers 352 and 362 comprise the plurality of rollers mounted to the first member. However, Applicants submit that the primary tension pinch wheel 352 and the secondary tension drive wheel 362 are not rotationally mounted to a first member that may be **translationally** moved into first or second positions, as claimed. In fact, the secondary tension drive wheel 362 is not mounted to any member that is configured to be translationally moved. The secondary tension drive wheel 362 is powered by a drive wheel clutch 356 that is driven by a drive wheel belt 510 from a main drive motor 502 (col. 9, lines 27-29). *Helland* does not disclose that the secondary tension drive wheel 362 is mounted to any member that may be translationally moved.

Furthermore, the primary tension solenoid 370b engages the primary tension pinch wheel 352 against the primary tension drive wheel 360 (Figs. 10-11 and col. 10, lines 52-55). Figs. 10-11 indicate that the solenoid 370b (upon activation) **rotationally** moves an axle (not labeled) to which the primary tension pinch wheel 352 is mounted to engage the primary tension pinch wheel 352 against the primary tension drive wheel 360. *Helland* does not disclose that the primary tension pinch wheel 352 is mounted to any member that may be translationally moved.


Based at least upon the above remarks, Applicants respectfully submit that claims 24, 26 and 27 are not anticipated by *Helland*, and request that claims 24, 26 and 27 be allowed. Additionally, claim 25 depends from claim 24. Applicants respectfully submit that claim 25 is

allowable based at least upon the above remarks given in conjunction with claim 24, and request that claim 25 be allowed.

Conclusion

In light of the above amendments and remarks, Applicants respectfully submit that all pending claims are allowable. Applicants, therefore, respectfully request that the Examiner reconsider this application and timely allow all pending claims.

Respectfully submitted,
SEED Intellectual Property Law Group PLLC



John C. Grieger
Registration No. 51,755

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
Phone: (206) 622-4900
Fax: (206) 682-6031

804453_1.DOC